

**REMARKS**

This Application has been carefully reviewed in light of the Office Action mailed July 12, 2007. Claims 6-7 were pending in the Application. In the office Action, Claims 6-7 were rejected. In order to expedite prosecution of the present Application, Applicants have amended Claims 6-7. Thus, Claims 6-7 remain pending in the Application. Applicants respectfully request reconsideration and favorable action in this case.

**SPECIFICATION**

The disclosure was objected to because the continuing data should be updated to include both patent numbers 6,049,289 and 6,667,684 for the two parent applications. Applicants have amended the specification to include U.S. Patent 6,049,289 and 6,667,684. Applicants respectfully request that the objection to the disclosure be withdrawn.

**CLAIM OBJECTIONS**

Independent Claim 6 was objected to because the preamble of the claim identifies the claim as directed to a transmitter, but the body of the claim includes limitations of a receiver that are not part of the transmitter. Applicants have amended independent Claim 6 to correct the informalities. Applicants respectfully request that the objection to independent Claim 6 be withdrawn.

**DOUBLE PATENTING**

Applicants submit herewith a Terminal Disclaimer to obviate a double patenting rejections over U.S. Patent Nos. 6,049,289 and 6,667,684 executed by the undersigned attorney of record in this application. Applicant submits herewith a check to cover the disclaimer fee of \$260.00 (\$130.00 for each patent). The submission of the executed Terminal Disclaimers are believed to overcome the non-statutory double patenting rejections.

**SECTION 103 REJECTIONS**

Claims 6-7 were rejected under 35 U.S.C. § 103(a) as being unpatenable over U.S. Patent No. 4,750,118 (Reissue Patent No. 37,986) to Heitschel et al. (hereinafter "*Heitschel*") in view of U.S. Patent No. 5,686,904 to Bruwer (hereinafter "*Bruwer*"). Claims 6-7 were also rejected under 35 U.S.C. § 103(a) as being unpatenable over *Heitschel* in view of U.S. Patent No. 5,798,711 to Issa (hereinafter "*Issa*"). In addition, Claims 6-7 were rejected under 35 U.S.C. § 103(a) as being unpatenable over U.S. Patent No. 6,046,680 to Soenen et al. (hereinafter "*Soenen*") in combination with *Issa*. Applicants respectfully traverse these rejections.

Heitschel in combination with Bruwer, Heitschel in combination with Issa (Claims 6 & 7)

Independent Claim 6 recites, in part: “a receiver . . . comprising a memory having discrete locations for storing information associated with a transmitter of said set” and “processing circuitry within said receiver of said designated manufacturer storing, during the program mode, transmitter information corresponding to a transmitter, randomly in an unused discrete memory location, or if all said discrete memory locations are used, then by randomly replacing the information stored in one of the used, discrete memory locations with said new information” (emphasis added). Applicant respectfully submits that the proposed combination of references does not disclose, teach or suggest all claim limitations of amended independent Claim 6. For example, the system disclosed in *Heitschel* discloses a garage door opening system that uses a non-random switching arrangement for precisely directing transmitter codes into pre-selected addresses (Col. 4, Lines 15-68). Thus, *Heitschel* does not disclose “processing circuitry within said receiver . . . storing . . . transmitter information corresponding to a transmitter, randomly in an unused discrete memory location, or if all said discrete memory locations are used, then by randomly replacing the information stored in one of the used, discrete memory locations with said new information” as recited by independent Claim 6 (emphasis added). To the contrary, *Heitschel* uses a non-random switching arrangement. Accordingly, Applicants respectfully submit that the proposed combination does not disclose, teach or suggest all claim limitations of independent Claim 6. Neither *Bruwer* nor *Issa* appear to remedy at least this deficiency of *Heitschel*. Thus, Applicants respectfully submit that independent Claim 6 is patentable over the proposed combination of references.

Independent Claim 7 recites, in part: “at least one radio frequency transmitter from a designated manufacturer, said at least one transmitter having associated therewith a transmitter identifying code unique to that transmitter”, “a radio frequency receiver operable between a program mode and an operate mode and including a memory having discrete locations for storing information identifying said at least one transmitter”, “said radio frequency receiver adapted to receive and process, during the program mode, radio frequency transmissions from multiple transmitters, including the unique transmitter identifying code”, and “processing circuitry within the receiver for storing, during the program mode, transmitter information corresponding to the at least one transmitter, randomly in an unused discrete memory location, or if all said discrete memory locations are in use, then by randomly replacing information stored in one of the in use discrete memory locations with the transmitter information corresponding to the at least one transmitter” (emphasis added). For at least the reasons discussed above in

connection with independent Claim 6, Applicants submit that independent Claim 7 is also patentable over the proposed combination of references.

Soenen in combination with Issa (Claims 6 & 7)

Independent Claim 6 recites, in part: “a receiver . . . comprising a memory having discrete locations for storing information associated with a transmitter of said set” and “processing circuitry within said receiver of said designated manufacturer storing, during the program mode, transmitter information corresponding to a transmitter, randomly in an unused discrete memory location, or if all said discrete memory locations are used, then by randomly replacing the information stored in one of the used, discrete memory locations with said new information” (emphasis added). Applicant respectfully submits that the proposed combination of references does not disclose, teach or suggest all claim limitations of amended independent Claim 6. For example, the system disclosed in *Soenen* discloses a method in which identification codes are added to a list of authorized codes in the memory of a receiver (*Soenen*, Col. 14, Lines 29-36). *Soenen* appears to further disclose that “[t]he receiver can learn up to four transmitter codes. If programming is attempted for the fifth time, the receiver overwrites the first stored code (*Soenen*, Col. 14, Lines 33-36) (emphasis added). Thus, *Soenen* does not disclose “processing circuitry within said receiver . . . storing . . . transmitter information corresponding to a transmitter, randomly in an unused discrete memory location, or if all said discrete memory locations are used, then by randomly replacing the information stored in one of the used, discrete memory locations with said new information” as recited by independent Claim 6 (emphasis added). *Issa* does not appear to remedy at least this deficiency of *Heitschel*. Thus, Applicants respectfully submit that independent Claim 6 is patentable over the proposed combination of references.

Independent Claim 7 recites, in part: “at least one radio frequency transmitter from a designated manufacturer, said at least one transmitter having associated therewith a transmitter identifying code unique to that transmitter”, “a radio frequency receiver operable between a program mode and an operate mode and including a memory having discrete locations for storing information identifying said at least one transmitter”, “said radio frequency receiver adapted to receive and process, during the program mode, radio frequency transmissions from multiple transmitters, including the unique transmitter identifying code”, and “processing circuitry within the receiver for storing, during the program mode, transmitter information corresponding to the at least one transmitter, randomly in an unused discrete memory location, or if all said

discrete memory locations are in use, then by randomly replacing information stored in one of the in use discrete memory locations with the transmitter information corresponding to the at least one transmitter" (emphasis added). For at least the reasons discussed above in connection with independent Claim 6, Applicants submit that independent Claim 7 is also patentable over the proposed combination of references.

**CONCLUSION**

Applicants have made an earnest attempt to place this case in condition for immediate allowance. For the foregoing reasons and for other reasons clearly apparent, Applicants respectfully request reconsideration and full allowance of all pending claims.

Applicants request a 3 month extension of time to respond to the Office Action dated July 12, 2007. A Petition for Extension of Time is attached herewith. A check in the amount of \$1,310.00 is enclosed for the extension and terminal disclaimer fees. The Commissioner for Patents is hereby authorized to charge any fee deficiency or to credit any fee overpayment relating to this matter to Deposit Account No. 07-0153.

Respectfully submitted,



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